

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

DOCKET: BO9-99-020

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD, SYSTEM, AND PROGRAM FOR DIAGNOSING A COMPUTER IN A NETWORK SYSTEM

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_

as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

None

(Number)

Yes No

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

None

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

This Declaration and Power of Attorney for U.S. Patent Application:

Serial No. 09/388,139 Filed: September 1, 1999

is intended for this application

Attorney Docket No. BLD91990020US2

Page 1 of 2  
Firm No. 0036.0031

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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

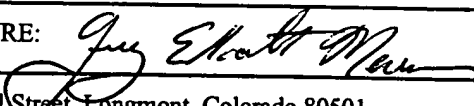
**DOCKET: BO9-99-020**

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<b>INVENTORS SIGNATURE:</b> 	<b>DATE:</b> 8/31/99
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<b>CITIZENSHIP:</b> United States	
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11-22-1999 RCVD



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NOVEMBER 09, 1999

PTAS

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\*101140391A\*

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MERRIAM, GREG ELLIOT

DOC DATE: 08/31/1999

ASSIGNEE:

INTERNATIONAL BUSINESS MACHINES  
CORPORATION  
ARMONK, NEW YORK 10504

SERIAL NUMBER: 09388139  
PATENT NUMBER:

FILING DATE: 09/01/1999  
ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
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This Notice of Recordation of Assignment Document for  
U.S. Patent Application:  
Serial No. 09/388,139 Filed: September 1, 1999  
is intended for this application  
Attorney Docket No. BLD91990020US2

09-10-1999

U.S. DEPARTMENT OF COMMERCE  
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1. Name of conveying party(ies):

Greg Elliot Merriam

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

2. Name and address of receiving party(ies):

International Business Machines Corporation  
Armonk, New York 10504

Additional name(s) & address(es) attached? ☐ Yes ☒ No



Execution Date August 31, 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: August 31, 1999

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

DAVID W. VICTOR, ESQ.  
KONRAD, RAYNES & VICTOR, LLP.  
1180 S. Beverly Drive, Suite 501  
Los Angeles, CA 90035

6. Total number of applications and patents involved: [ 1 ]

7. Total fee (37 CFR 3.41).....\$ 40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: 50-0585

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

David W. Victor  
Name of Person Signing

Signature

September 1, 1999  
Date

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ASSIGNMENT

Whereas, we

INVENTOR  
AND CITY

(1) Greg Elliot Merriam  
County of Boulder

of Longmont  
and State of Colorado

have invented certain improvement in

TITLE

METHOD, SYSTEM, AND PROGRAM FOR DIAGNOSING A COMPUTER IN A NETWORK SYSTEM

DATES THAT  
INVENTORS  
SIGNED THE  
DECLARATION

and executed, respectively, a United States patent application therefore on  
(1) 8/31/, 1999

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed

CITY  
DATE

(1) at Boulder, Colorado  
on 8/31/, 1999,

  
Greg Elliot Merriam

SIGNATURE  
INVENTOR